

CITY COUNCIL  
PLANNING AND COMMUNITY DEVELOPMENT  
COMMITTEE MINUTES

November 13, 2009

The City Council Planning and Community Development Committee of the City of Norman, Cleveland County, State of Oklahoma, met at 8:00 a.m. in the Conference Room on the 13th day of November, 2009, and notice and agenda of the meeting were posted in the Municipal Building at 201 West Gray and the Norman Public Library at 225 North Webster 48 hours prior to the beginning of the meeting.

PRESENT:	Councilmembers Atkins, Cubberley, Griffith, and Chairman Butler
ABSENT:	None
OTHERS PRESENT:	Mayor Cindy Rosenthal Councilmember Dillingham Ms. Susan Atkinson, Planner I Ms. Leah Bunney, Assistant City Attorney Ms. Karla Chapman, Administrative Technician III Ms. Susan Connors, Director of Planning and Community Development Mr. Doug Koscinski, Current Planning Manager Mr. Steve Lewis, City Manager Mr. Angelo Lombardo, Traffic Engineer Mr. Shawn O'Leary, Director of Public Works Mr. Patrick Girasole, Intern

CONTINUED DISCUSSION REGARDING IMPLEMENTATION ELEMENTS RELATED TO THE PORTER AVENUE CORRIDOR PLAN.

Ms. Susan Connors, Director of Planning and Community Development, said at the October 23, 2009, Planning and Community Development Committee meeting, the Committee requested Staff continue refining the schedule, public participation segment, and timeline relative to the Porter Corridor Plan. She said the refined information will be given to the Porter Corridor Stakeholder Committee (PSC) to begin work on Phase II of the Plan. Staff was also asked to prepare information for the properties in the southern portion of the Plan area where concerns were raised about whether they should be on the residential or commercial side of the boundary line.

Ms. Connors distributed a Public Participation Plan and Timeline beginning with a kick-off discussion and "walk around the block," the week of December 7, 2009, followed by additional meetings in January and February with the PSC and the public to discuss streetscapes and design guidelines. She said a public meeting will be scheduled in February for the property and business owners along Porter Avenue. The PSC and Staff will meet with the consultants and review schematic streetscape design, following the public meeting, and hold a work session with property and business owners along Porter Avenue to discuss a Zoning Overlay District (ZOD) with Design Guidelines at the beginning of March. A draft ZOD with Design Guidelines will be available for download on the City website with hard copies available at the Norman Public Library, City Hall, and Chamber of Commerce. Staff and the PSC will discuss funding options toward the end of March and meet with the consultants to review a master plan for the schematic design and streetscape prior an open house for the public in early April. The PSC will review final drafts of schematic design and ZOD with Design Guidelines and make recommendations to Council no later than April 16, 2010.

Councilmember Butler asked if the Planning Commission (PC) would be assisting with the Public Participation Plan process and Ms. Connors said Staff had not included the PC because of the compact schedule, but could arrange a work session in early April to gain their input prior to the PSC's final recommendations to Council. Councilmember Dillingham encouraged Staff to hold public meetings in the evenings so those citizens who work during the day may be able to attend.

Councilmember Butler asked when Staff would discuss the financing portion of this project and Ms. Connors said Staff had not included the financing in the plan time line, but envisioned it being toward the end of the process. Mayor Rosenthal suggested Staff include a task to integrate plans with financing alternatives toward the end of process and the Committee agreed.

Mayor Rosenthal suggested, once the Committee comes to a consensus on the commercial/residential boundary lines, Staff distribute them to the PSC to obtain their concurrence and then to the Planning Commission as a 2025 Land Use Plan Amendment.

Councilmember Cubberley suggested clearing up any misconceptions regarding the Porter Avenue Corridor consultant contract and explain the City is not trying to design the buildings along Porter Avenue, but focus on the public improvements, such as streetscape, etc.

Ms. Connors said the Committee mentioned several addresses that were of concern at the October 9, 2009, meeting and distributed property description sheets reflecting the current owner, acreage, existing land use, existing zoning, Porter Corridor Plan recommendation, and possible future options. Ms. Connors discussed each address, in detail, and identified what Staff envisioned as the most appropriate future use for each particular parcel.

ADDRESS	CURRENT USE	CURRENT ZONING	PLAN RECOMMENDATIONS	OTHER OPTIONS
400 S. Crawford	Law Office	C-2	Office	Low Intensity Commercial Uses Mixed-use development
222 E. Alameda	Offices, Pharmacy, Parking Lot	C-1	Office	Upscale neighborhood grocery
231 E. Symmes	Institutional: Mary Abbott Children's House	R-3	Institutional	Continue current office use
320 S. Crawford	Institutional: Mary Abbott Children's House	C-2	Commercial	Land Use will be Institutional for years to come
225 E. Symmes	Parking Lot	R-3	Institutional	Parking lot or infill for Institutional Office development
431 E. Alameda	Single-Family Residential	R-3	Institutional	Remain Single Family or combine w/parcel to north and develop as Institutional
530 S. Ponca	Single-Family Residential	R-3	Institutional	Remain Single Family or combine w/parcel to south and develop as Institutional
409 E. Alameda	Church parking lot	R-3	Institutional	Remain church parking lot for foreseeable future
423-425 S. Porter	Commercial	C-2	High Density Housing	Mixed use Ground floor Commercial; 2nd floor Offices; and 2-3 stories of apartments above

Mayor Rosenthal suggested Staff invite Trinity Lutheran Church to the public meetings since their parking lot is located across the street, which requires pedestrians to cross the street to attend services and felt Staff should be attentive to this location, in terms of a streetscape or island, making it a safer area for pedestrians.

Ms. Connors distributed a revised Porter Corridor Plan map with boundary lines, which reflected changes the Committee requested at the October 23, 2009, meeting, and said the map reflects areas in the southern portion that would be suitable for mixed-use development in the future. Councilmember Cubberley said the property around the Cleveland County Courthouse, although zoned residential, is being used as a commercial parking lot and questioned whether the commercial line should be moved to include the area at Peters and Eufaula since that particular property will not be used as residential again. He felt the commercial properties needed to be recognized, kept in the commercial district, and reflected as such on the boundary line map. Ms. Connors agreed and said Staff will change the boundary map to include this area. Councilmember Dillingham asked how the areas identified as future potential mixed-use will be implemented and Ms. Connors said Staff felt a mixed-use concept should be incorporated into the Zoning Overlay District for the Porter Corridor.

Ms. Connors said Staff will make revisions to the boundary lines in the map and show the properties that have an option for mixed use zoning for the PSC to review as the process continues moving forward. She said the Porter Corridor Plan contract amendment should be submitted to Council in a couple of weeks and once approved, Staff will begin implementing the Public Participation Plan.

#### REVIEW OF THE DRAFT MIXED USE DEVELOPMENT ZONING DISTRICT.

Mr. Doug Koscinski, Current Planning Manager, provided an overview of the mixed-use draft ordinance. He said the existing commercial zoning districts, i.e., C0, C-1, C-2, and C-3, currently allow a special residential use on upper floors for example, if the existing medical building at 222 E. Alameda wanted to build a second story residential floor, the mixed-use ordinance would not need to be utilized because the existing zoning for that property already allows special residential use on upper floors. He said a mixed-use draft ordinance will work more as a redevelopment ordinance rather than a tweaking ordinance. Mr. Koscinski said a mixed-use ordinance is not necessarily the vision for the Porter Corridor itself, unless several lots were scraped and redeveloped. Mayor Rosenthal said if the boundary line is being adjusted, how would it be codified and asked if Staff envisioned it would come with the Zoning Overlay District. Ms. Connors said Council accepted the Porter Plan as a working document; therefore, any new changes can be brought forward for Council consideration before being adopted as an Zoning Overlay District in the form of an ordinance.

Mr. Koscinski said this is the PC's final draft of the Mixed-Use District ordinance, but it has not gone forward to the public yet. He said the mixed-use ordinance does mandate a mixture of uses, pedestrian orientation, pedestrian priority, and streets are to be multi-modal. He said originally only high density residential was recommended, but Staff felt all types of residential uses should be allowed. The ordinance would mandate small scale retail, personal services, offices, and institutional uses, i.e., schools, municipal, daycare, making the area very neighborhood oriented. Mr. Koscinski said the PC felt some uses would be inappropriate for an intense urban area and included prohibited uses for the ordinance to include: open storage uses, auto oriented uses, mini-storages, and kennels with outdoor runs. He said special uses included in the mixed-use ordinance are bars, clubs, and taverns; religious uses; large theaters; non-residential single-use; and non-residential over 20,000 square feet, i.e., grocery store. Mr. Koscinski said the draft ordinance is written not to allow *all* types of commercial uses because typically the smaller businesses would be pushed out. He said the ordinance recommends no more than 30 units per acre, with the mixture mandated as 50-75% residential, 10-25% non-residential, and 20% of land must be open space, i.e., courtyards, fountains, and drainage areas; and, commercial and office buildings must have residential use on upper floor(s). Mr. Koscinski said the residential mix must include two types of residences with 25% of the units of one specific type. This prohibits one single-family home and a 900 unit apartment complex. On tracts greater than five acres, three types of residential mix may be used with no individual type exceeding 50%. Councilmember Cubberley used the Ivan Goodman property as an example of a small parcel and asked how two types of residential uses could be obtained on this parcel? Mr. Koscinski said that type of scenario, a strip of single story commercial uses with apartments or condos above and town homes behind would be acceptable. Mr. Koscinski said the general standards would require non-residential units close to the center; housing types be mixed near each other; and interconnected streets with limited cul-de-sacs. Non-residential building standards are very generous with zero side and rear yard setbacks, unless they abut residential use outside of the district. The mixed use ordinance includes four types of design standards: pedestrian standards, non-residential standards, residential standards, and parking standards.

Councilmember Cubberley asked why articulation is required every 40 feet in the non-residential standards and Mr. Koscinski said it is to increase the pedestrian experience and promote pedestrian friendliness. He said windows and doorways can be part of the articulation. Councilmember Cubberley asked why opaque, dark-tinted, or reflective glass is not allowed for buildings that may get a lot of west sunlight and Mr. Koscinski said interaction between businesses and pedestrians was prevalent in all the ordinances Staff reviewed. He said awnings are encouraged, but felt Staff would take individual situations into account to allow slightly tinted windows.

Councilmember Cubberley said he was concerned about handicap accessibility, stating the design standards mandate a first floor elevation of two feet minimum and Ms. Connors said the elevation requirement will give residences a feeling of distance and security from the street, since the ordinance mandates residential homes be no more than ten feet from front property line. She said handicap accessibility will be through the rear entrance. Councilmember Dillingham felt persons needing wheelchair accessibility would rather enter the rear of a home because that is where the parking is located; however, Councilmember Cubberley felt guests, whether needing handicap accessibility or not, should be greeted at the front entrance. Mr. Koscinski said the ordinance does not require a single-family home be handicap accessible. Councilmember Cubberley felt the ordinance should address issues of accessibility, in terms of elders, and make all housing accessible. Councilmember Dillingham felt all homes may not desire or need handicap accessibility and suggested Staff allow variances if developers are designing accessible homes or senior-type neighborhoods. Mr. Koscinski said the motive for the elevation is so that a resident can look out into a street, be above eye level, and feel they do not have an intrusion into their private space. If the residence was not elevated, most residents will close their curtains or blinds, and the purpose of the mixed use ordinance is to promote pedestrian activity.

Councilmember Butler asked Staff to describe how the shared parking would be calculated and Mr. Koscinski said it can be a complicated formula, but Staff would first determine the required parking for each type of use, plug the percentages in for mornings, noon, afternoons, late afternoon, and evenings, and add up the largest of the five "time" columns, which would establish the parking requirement for the development. Mr. Koscinski explained the loading and trash requirements, signs requirements, open space requirements, and landscape and buffer requirements and the Committee concurred with all the conditions.

Ms. Connors said Staff and the PC had several meetings and a lot of interaction and felt the PC was very much in support of the mixed use ordinance. Mr. Lewis asked about variances and Ms. Connors said since this will be a straight zoning district, variances can be asked for through the Board of Adjustment.

Mayor Rosenthal suggested Staff bring PC's recommendation on the proposed mixed use ordinance to a future Study Session for Council discussion.

Items submitted for record

1. Memorandum dated November 6, 2009, from Ms. Susan Connors, Planning and Community Development Director, to Planning and Community Development Committee
2. The Porter Corridor: Phase II Meetings with Porter Stakeholder Committee and Public Participation Plan
3. Overview of specific properties within the Porter Avenue Corridor Plan reflecting current use and appropriate future land use
4. Porter Corridor Plan Maps reflecting proposed changes to the residential/commercial boundary lines
5. Draft copy of the Mixed-Use Zoning District dated October 22, 2009, submitted by the Planning Commission
6. PowerPoint presentation entitled "*Mixed Use Draft Ordinance*," dated November 13, 2009

The meeting adjourned at 9:24 a.m.